



U.S. Department of
Transportation

Office of the Secretary
of Transportation

GENERAL COUNSEL

DEPT. OF TRANSPORTATION
400 Seventh St., S.W.
Washington, D.C. 20590

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OST-99-6410-46

The Honorable Frank H. Murkowski
United States Senate
Washington, DC 20510-0202

Dear Senator Murkowski:

Secretary Slater has asked me to answer your letter of February 8, 2000, enclosing correspondence from a constituent of yours who owns a travel agency and is a member of the American Society of Travel Agents (ASTA). ASTA has recently filed a formal complaint (Docket OST-99-6410) with this Department against a number of airlines. ASTA alleges that in cutting the commissions that they pay travel agents, the airlines are engaging in unfair practices and unfair methods of competition in violation of 49 U.S.C. §41712, and your constituent agrees.

The airlines filed their responses to ASTA's complaint on December 10. It is now up to the Enforcement Office to review the complaint and responses and determine whether, under our statute, the complaint should be pursued or dismissed. Under these circumstances, it would be inappropriate for me to comment on the substance of your constituent's letter. Your staff and your constituent can track the pleadings as well as the Department's actions through our Dockets web site at <http://dms.dot.gov>. Clicking on "search" and then typing "6410" in the space for the docket number and again clicking on "search" will bring up a list of all documents in the docket. Each item can be opened.

The Department's *ex parte* rules, 14 CFR Part 300, require that I place your letter, your constituent's letter, and a copy of this reply in Docket OST-99-6410. Please be assured that ASTA's complaint will receive careful and thorough consideration.

Sincerely,

Samuel Podberesky
Assistant General Counsel for
Aviation Enforcement and Proceedings

DEPT. OF TRANSPORTATION
FEB 29 11 14:53

FRANK H. MURKOWSKI
ALASKA

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February 8, 2000

The Honorable Rodney Slater
Secretary
Department of Transportation
400 7th Street, S.W.
Washington, DC 20590



Dear Secretary Slater:

Please find enclosed a copy of a letter that I recently received regarding concerns about anti-competitive practices by the national airlines.

I would greatly appreciate a response to the concerns raised in the letter.

Thank you for your attention in this matter.

Sincerely,


United States Senator



CHARLENE'S EXPRESS TRAVEL



Across from Sears Mall

601 E. Northern Lights Blvd., Suite I Anchorage, Alaska 99503
Tel (907) 274-8884 Fax (907) 274-1455

21 December, 1999

The Honorable Senator Frank **Murkowski**
U.S. Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator:

Please save my business from airline unfair competition by writing to the Secretary of Transportation and ask him to act favorably upon the American Society of Travel Agents' (**ASTA**) complaint against airline unfair practices.

ASTA's filing requests the Secretary to use his authority to stop the unfair methods of competition the airlines are using to force travel agencies out of business. The airlines have driven travel agent compensation below the cost of doing business, while also creating a "cost squeeze" that drives up agents' costs with unnecessary and anti-competitive restrictions.

My small business continues to provide consumers with the last, best hope for getting neutral, professional information and advice about travel service options. If the airlines succeed, consumers will pay more. On behalf of my clients and employees, we thank you for contacting the Secretary and notifying me or my trade association, **ASTA**, at 703-739-6842 of your action.

Look forward to hearing from you soon.

Sincerely,


Sheau Ling Russey
President

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